

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

ROBERT G. MODRALL,)	
)	Case No. 1:19-cv-250
<i>Plaintiff,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Christopher H. Steger
U.S. DEPARTMENT OF EDUCATION,)	
)	
<i>Defendant.</i>)	

ORDER

On May 26, 2020, the Court dismissed Plaintiff Robert Modrall claims against the United States Department of Education with prejudice.¹ (Docs. 13, 14.) On June 3, 2020, Modrall filed a notice of appeal (Doc. 15), and, on November 12, 2020, he filed a motion for leave to appeal in forma pauperis (Doc. 17.) On November 24, 2020, United States Magistrate Judge Christopher H. Steger filed a report and recommendation, recommending that the Court deny Modrall's motion for leave to appeal in forma pauperis and that it issue a certification that his appeal is not taken in good faith. (Doc. 18.) In his report and recommendation, Magistrate Judge Steger explained that the issues Modrall seeks to present to the court of appeals are frivolous. (*Id.* at 2.) Specifically, Magistrate Judge Steger noted that Modrall's complaint asserts that he is a whistle

¹ This is not Modrall's first case in this Court. Rather, Modrall has filed numerous cases, all of which have been dismissed for failure to state a claim. (*See* Doc. 1 in Case No. 3:20-mc-33.) On May 19, 2020, based on Modrall's repeated "frivolous and harassing litigation in this Court," United States District Court Judge Pamela Reeves entered a permanent injunction against Plaintiff, placing certain filing restrictions on him, as well as restrictions on his interactions with the Court and its employees. (*See id.*)

blower who has produced evidence of criminal conduct on the part of former President Barack Obama, former Senator Bob Corker, and others. (*Id.*) Modrall further alleges that he has been tortured and retaliated against and failed to gain admission to various academic institutions as a result of these actions. (*Id.*) These allegations and the issues he intends to pursue on appeal relate to the same frivolous allegations he has previously raised in this Court. (*Id.*) Finally, Magistrate Judge Steger noted that the financial information Modrall provided in connection with his motion for leave to appeal in forma pauperis “appears to be incomplete, inconsistent, or at minimum, improperly stated.” (*Id.*)

Modrall filed objections to Magistrate Judge Steger’s report and recommendation. (Doc. 19.) Modrall’s objections, however, fail to demonstrate that his underlying allegations are not frivolous or that he is unable to pay the cost of an appeal. Instead, Modrall questions Judge Steger’s intellect and accuses various members of the judiciary of criminal and unethical behavior. (*See generally id.*)

Upon independent reviewing Modrall’s motion for leave to appeal in forma pauperis and Magistrate Judge Steger’s report and recommendation, the Court agrees with Magistrate Judge Steger’s well-reasoned conclusions. Accordingly, the Court hereby **ACCEPTS** and **ADOPTS** the Magistrate Judge Steger’s report and recommendation (Doc. 18) pursuant to 28 U.S.C. § 636(b)(1). Modrall’s motion for leave to appeal in forma pauperis (Doc. 17) is **DENIED**. Additionally, pursuant to Rule 24 of the Federal Rules of Appellate Procedure, the Court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

SO ORDERED.

/s/ Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**